

PROSKAUER ROSE LLP
Sally L. Schneider
1585 Broadway
New York, New York 10036
(212) 969-3803

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TRUSTEES of the MASON TENDERS
DISTRICT COUNCIL WELFARE FUND,
PENSION FUND, ANNUITY FUND and
TRAINING PROGRAM FUND,

Plaintiffs,

- against -

FIRST CHOICE CONSTRUCTION SERVICES, INC.,

Defendant.
-----X

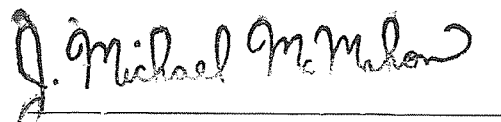
:
:
: 08 Civ. 4333 (VM)
:
:
:

: **CLERK'S CERTIFICATE**
: **OF DEFAULT**
:
:

I, J. MICHAEL McMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that the entries in the above-entitled action indicate that the summons and complaint were filed on May 8, 2008, that defendant First Choice Construction Services, Inc. was served with true copies of the summons and complaint on May 13, 2008 by service upon Donna Christie, an agent of the Secretary of State of the State of New York, pursuant to section 306 of the Business Corporation Law of the State of New York, and that proof of service was filed with the Court on May 19, 2008.

I further certify that the docket entries indicate that defendant First Choice Construction Services, Inc. has not filed an answer, appearance or otherwise moved with respect to the complaint and such defendant's time to respond has expired. The default of defendant First Choice Construction Services, Inc. is hereby noted.

Dated: New York, New York
August 4, 2008



CLERK